

INSPECTIONS FOR WOOD-DESTROYING ORGANISMS

Inspections for wood-destroying organisms (WDOs) are one of the most complex tasks a pest control operator (PCO) or home inspector will perform. The inspector must be part detective and part diplomat. A good inspector is very thorough and methodical, even though they may receive pressure from realtors or home sellers to go easy on written reports.

An inspector must be able to locate wood-destroying insects and fungi and also, be able to identify conditions which are conducive to these pests. Please refer to other chapters for details on the life history and identification of WDOs. The potential liability resulting from a poor inspection makes it critical that an inspector be an expert in these areas.

For many years in Washington, an inspection was a highly variable procedure which meant something different to each company and sometimes to each inspector. In 1977 the Washington State Pest Control Association (WSPCA), responding to this problem, developed standards for WDO inspections. These standards do not address every problem that an inspector may encounter, but they do establish sound guidelines for them to follow.

Even with these standards, problems still remained with certain aspects of WDO inspections. Some inspectors did not adhere to the WSPCA guidelines. Washington State statutes applied to the making of false statements, but did not address the reporting of damage or conducive conditions. Home buyers, sellers, lending institutions, and many conscientious WDO inspectors demanded a more closely regulated and consistent approach to home inspections.

Through the efforts of industry and the Washington State Department of Agriculture (WSDA), legislation was drafted to address WDO inspections. House Bill 1156, passed by the 1991 Legislature, specifically required that any individual conducting WDO inspections must obtain a license from WSDA. This included both PCOs and the many structural inspectors who inspected buildings but did no actual pest control activities. Authority was also given to WSDA to adopt inspection rules; these became effective in 1992.

Why do we need these rules? If everyone was conducting accurate and thorough WDO inspections, they would not be necessary. Unfortunately, this is not always the case. The rules have been established as a minimum set of standards that must be adhered to in WDO inspections. They do not address every situation you will encounter during your inspections. The public has hired you, as an expert, to inspect buildings for WDOs, damage, and conducive conditions. The purchase of a home is often the largest, single investment they will make during their lifetime. Your customers expect you to be competent, knowledgeable, and experienced. Incomplete, inaccurate inspections may

ultimately lead to your work being investigated by the WSDA, a Notice of Correction and/or fine issued, and possible litigation by your customers. Make certain that you conduct WDO inspections in the most professional and unbiased manner possible.

Following are current (1997) rules related to WDO inspections as set forth by the Director of the Washington State Department of Agriculture. Italicized statements are intended to help answer questions about a specific rule. The rules also established several definitions; these are located at the end of this section. Note especially the definitions of complete and limited WDO inspections. Contact the WSDA for further clarification.

WASHINGTON STATE DEPARTMENT OF AGRICULTURE INSPECTION RULES

WAC 16-228-400 Inspection and reporting criteria for complete wood destroying organism inspections. All persons licensed to conduct wood destroying organism inspections shall comply with the following criteria when performing complete wood destroying organism inspections.

(1) The inspector shall make a thorough inspection of accessible areas of the subject structure which are not excluded. The inspection shall be conducted by making a careful visual examination, and/or probing with inspection instruments.

Thorough is not defined in rule, but generally requires the inspector to closely examine all areas potentially infested by WDOs to look for signs that may indicate a problem. Don't neglect to inspect all corners, use the proper tools, and take the time to do a good job.

An accessible area is one you can get to and inspect. If you cannot, it can be excluded but remember, if excluded on your Preliminary WDO Report, it must also be excluded on the Final WDO Report.

Note that this provision also establishes the inspector's right to exclude areas.

Probing of wood with appropriate equipment helps to determine the nature and extent of a problem. Rock picks are commonly used to probe substructural wood. Use an awl or pocket knife on finished surfaces, and don't damage or deface the wood as you look for signs of WDOs. Use the right tool for the job.

(2) Substructural crawl areas shall be inspected when accessible.

This is the only requirement in state rule where a portion of a structure must be inspected.

(3) Upon completion of an inspection, a wood destroying organism report shall be issued to the person paying for and/or otherwise requesting the

inspection. Such report shall include the following: *Provided, That all diagrammatic representations may be omitted from the report provided to the person paying for or otherwise requesting the inspection, but shall be maintained on file pursuant to subsection (3)(k) of this section.*

Most companies issue reports within a couple of days after the inspection. WSDA recommends that reports be completed within two weeks of the inspection.

A diagram is required if WDOs, their damage, or conducive conditions are present, but may be omitted otherwise. Inspectors may exclude the diagram from a report provided to their customers, but it must be maintained on file.

Diagrams are used to help others find potential problems and identify areas damaged by WDOs. Diagrams are a means to clarify the written report.

- (a) Date of inspection;
- (b) Name of seller/ owner and purchaser (when applicable);
- (c) Street address of structure inspected. When there is more than one structure that may be used as a dwelling at a given street address it shall be clearly indicated which structure was inspected;
- (d) Name of structural inspector and department pesticide license number;
- (e) Substructural crawl areas which are not accessible due to inadequate clearance, or foundation walls/partitions, etc., which block access, shall be clearly indicated on the complete wood destroying organism inspection report including any diagram which is a part of that report. It shall be stated on the report that such areas may be vulnerable to attack by wood destroying organisms, and should be made accessible for inspection if feasible. In the event that it is neither feasible or necessary to make access into such areas, a statement indicating the reason(s) shall be included on the report;

If all or a portion of a crawl space is inaccessible for any reason, it must be reported and shown on your diagram. You must also recommend that it be made accessible for inspection. This is the only requirement to make a recommendation in all the inspection rules.

When would access be “neither feasible or necessary”? Access may not be necessary if the house is not valuable enough to make it accessible or the crawl space is small and you can physically sound and visually inspect the timbers. This is a rarely needed provision in the rules.

- (f) With the exception of areas within the living quarters of an occupied structure, all areas which are excluded from the inspection shall be clearly indicated on any complete wood destroying organism inspection report;

Excluded areas, such as a roof or attic, must be indicated on the report. If pre-printed on your form, make certain they are obvious to all parties. Areas within

the living quarters of an occupied structure do not need to be excluded in writing, but you should note that the house was occupied at the time of your inspection. This provision does not relieve you from having to inspect the interior. Many substructural problems are uncovered here.

It may be obvious to you that other excluded areas, such as wall voids and areas under floor coverings or insulation, cannot be inspected, but your customer might not understand this. The rules require that these excluded areas be clearly stated on the report.

The presence of subfloor insulation does not eliminate your responsibility to conduct a complete inspection. Infestations by WDOs frequently begin under insulation near corners or around plumbing. If you see dark stains, frass, or anything to suggest a problem, LOOK MORE CLOSELY or call to have the insulation removed. Don't ignore these important areas. Remember, you have been asked, as an expert, to conduct a thorough and professional inspection. Keep in mind why you were hired and ultimately, who will suffer if you neglect to report evidence of infestations, damage, or conducive conditions.

(g) Evidence of infestation of wood destroying organisms which shall include:

Infestation means different things to different people, but basically the term refers to "being overrun in large numbers so as to be harmful or unpleasant".

Make sure evidence observed and reported indicates that an infestation actually exists. When you can ascertain that an infestation is no longer active or a threat to the structure, it is unethical and a violation of state rules to falsely indicate or imply that it is active. WSDA does not restrict recommendations for treatment as long as no false statements are made. Do not make false statements about the nature and biology of a species you encounter in a structure. Simply finding a dead carpenter ant does not justify recommending a treatment.

(i) Common name of the wood destroying organism(s). Termites shall be described as either dampwoods or subterraneans. Wood boring beetles shall be described by the appropriate family name, i.e., anobiidae (deathwatch beetles). Buprestid and Cerambycid beetles shall not be described as "powder post beetles";

(ii) Statement describing specific evidence of infestation(s) observed;

Report the evidence you actually see - live or dead insects, frass, emergence holes, mud tubes, feeding galleries, etc.

(iii) If evidence of infestation(s) is observed only in wood which is not normally considered a part of the structure i.e., form boards, cellulose debris, roots, stumps, landscaping wood/ lumber, etc., the report shall so state;

Finding dampwood termites in form boards that are wet from ground contact, and then indicating these pests are a threat to the structure with no moisture problems, is both unethical and a violation of state rules.

(iv) Diagrammatic representation of areas infested sufficient to identify the approximate location of areas infested;

Diagrams must be accurate, complete, and professional. Sufficient means WSDA personnel can, if they review your inspection, readily determine what you saw and where you saw it. Make it clear to your audience where the problems exist so repairs or treatments can be done properly.

(h) Optional method of control. When infestations of dampwood termites or rot fungus are localized in a structure, or observed only in wood which is not normally considered a part of the structure, such as form boards, cellulose debris, roots, stumps, landscaping wood/lumber, it shall be stated in the report that such infestations may be eliminated by removal of all infested wood and correction of any contributing conducive conditions;

If dampwood termites or rot fungus are discovered, “optional method of control” should be the first recommendation to your customers. This does not prohibit recommendations for a chemical treatment, but don’t make false statements about the biology and need for treatment of these WDOs.

(i) Damage caused by wood destroying organisms:

(i) A statement describing any damage which was observed in accessible areas of the structure which were not excluded from the inspection.

(ii) A diagrammatic representation indicating such areas of damage;

Reporting damage and determining what damage needs to be replaced are two separate tasks. WSDA requires the former, but not the latter. Any damage caused by WDOs that is more than surface or cosmetic must be reported. Remember, you are the technical expert hired to make these determinations. If you are unsure about a particular situation, consult with other professionals in the industry. Failure to report damage creates tremendous liability for you.

(j) Conducive conditions for an infestation of wood destroying organisms. Written statements and diagrammatic representation of the following shall be provided:

Eliminating conducive conditions often solves WDO problems.

(i) Inadequate clearance: Where there is less than eighteen inches clear space between the bottom of floor joists and the unimproved ground area in any crawl space or portion thereof.

Twelve inches of clearance between soil and beams is also recommended.

(ii) Earth-wood contact: Where wood of the structure is in direct contact with the soil. This does not include wood that has been treated for direct soil contact.

(iii) Cellulose debris: Where wood by-product material can be raked or is larger than can be raked, or where any stumps, roots, form boards, etc., are on the ground of a crawl space.

(iv) Excess moisture: Where there is standing water or evidence of seasonal standing water in crawl space or basement. Plumbing and other moisture leaks.

Standing water in a crawl area is fairly obvious, but when do you report “seasonal standing water”? Water in the crawl space at any time is a conducive condition and should be reported whenever it exists. Look for water marks on piers, posts, foundation walls, and on top of vapor barriers.

(v) Inadequate ventilation: Where there is detectable excessive moisture content in the wood of a substructure, and/or an active infestation of wood destroying organisms which can be attributed to the lack of sufficient ventilation in the substructure;

Excessive wood moisture content can be difficult to assess. Look for functional, properly screened vents in appropriate places, e.g., near corners. Some building codes require a certain number of vents per square foot of building. WSDA does not expect you to be code inspectors, but these codes may offer guidelines for you to follow. Use your experience and best professional judgment.

(k) A record of the complete wood destroying organism inspection report shall be maintained on file by the structural inspector or employer for a period of seven years. Such record shall be made available to the department upon request.

WAC 16-228-410 Inspection and report prerequisite to wood destroying organism treatment. All persons licensed to conduct wood destroying organism inspections shall conduct either a limited or complete wood destroying organism inspection prior to treatment.

(1) A limited or complete wood destroying organism inspection shall be conducted and a report issued to the person paying for and/or otherwise requesting the inspection prior to the contracting of any treatment for wood destroying organisms, except when the treatment is for preventative purposes only. In situations when treatment is for preventative purposes, the person requesting treatment shall provide the following preauthorization:

I have requested that _____ perform a preventative treatment for control of _____ on the structure located at _____. I acknowledge that this preventative treatment may be performed without inspection.

This should be very clear - either a complete or limited inspection must be conducted prior to treatment for WDOs. Two exceptions exist; 1) treatments under warranty or, 2) pre-authorization is obtained before the treatment.

(2) A limited or complete wood destroying organism inspection report or treatment preauthorization form shall accompany or be included within any proposal/estimate for treatment of wood destroying organisms.

The inspection report or treatment pre-authorization form must be included with the proposal for WDO treatment.

(3) When no evidence of infestation is observed, and any proposed treatment is for preventative purposes only, a limited or complete wood destroying organism inspection report shall include:

(a) A statement describing that no evidence of infestation was observed, and the treatment proposed is for preventative purposes only. Such statement shall stand out by having larger print than the main body of the report, or by being highlighted or underlined.

(b) The initials of the person, or representative thereof, that requested the inspection shall be inscribed directly under or adjacent to the statement as described in (a) of this subsection. Such initials shall be obtained prior to the commencement of any preventative treatment.

(4) Treatment performed for wood destroying organisms under an existing warranty shall not require the preparation of a limited or complete wood destroying organism inspection report.

Note that this pertains only to existing warranty work.

WAC 16-228-420 Limited wood destroying organism inspections. A limited wood destroying organism inspection shall not be construed as a complete wood destroying organism inspection. In no case shall a limited wood destroying organism inspection report be submitted in lieu of a complete wood destroying organism inspection report to a lending institution, title company, real estate office or agent, or other person, when a complete wood destroying organism inspection has been requested for the purpose of verifying that a structure is free of visible evidence of wood destroying organisms, their damage, or conducive conditions.

Limited WDO inspections cannot be used for real estate transactions.

WAC 16-228-430 Reporting criteria for limited wood destroying organism inspections. All persons licensed to conduct wood destroying organism inspections shall comply with the following criteria when performing a limited wood destroying organism inspection.

(1) A limited wood destroying organism inspection report shall include the following: *Provided*, That all diagrammatic representations may be omitted from the report provided to the person paying for or otherwise requesting the inspection, but shall be maintained on file pursuant to subsection (2) of this section:

- (a) Date of inspection;
- (b) Name of person or agency requesting the inspection, proposal, or estimate;
- (c) Address of structure inspected;
- (d) Name of structural inspector and WSDA license number;
- (e) A statement describing specific evidence of infestation(s) observed;
- (f) If evidence of infestation(s) is observed only in wood which is not normally considered a part of the structure, i.e., form boards, cellulose debris, roots, stumps, landscaping wood/ lumber, etc., the report shall so state;
- (g) Common name of wood destroying organisms. Termites shall be described as either dampwoods or subterraneans. Wood boring beetles shall be described by the appropriate family name, i.e., anobiidae (deathwatch beetles). Buprestid and Cerambycid beetles shall not be described as "powder post beetles";
- (h) A diagrammatic representation of area of infestation sufficient to identify the appropriate location of areas infested: *Provided*, That a diagram shall not be necessary when the homeowner/caretaker presents an insect and/or wood sample to the inspector, and this is the only evidence of infestation(s) observed;

If a customer presents an insect specimen or damaged wood as evidence of an infestation, then you do not have to make a diagram.

(i) Optional method of control: When infestations of dampwood termites or rot fungus are localized in a structure, or observed only in wood which is not normally considered a part of the structure, such as form boards, cellulose debris, roots, stumps, landscaping wood/lumber, it shall be stated in the report that such infestations may be eliminated by removal of all infested wood and correction of any contributing conducive conditions.

(2) A record of the limited wood destroying organism inspection report shall be maintained on file by the structural inspector or employer for a period of one year. Such records shall be made available to the department upon request.

Limited WDO inspection reports only have to remain on file for one year.

WAC 16-228-010 Definitions. The definitions set forth in this section shall apply throughout this chapter, unless the context otherwise requires:

(8) **"Complete wood destroying organism inspection"** means (a) an inspection of a structure for the purpose of determining (i) evidence of infestation(s), and (ii) damage, and (iii) conducive conditions; or (b) any wood destroying organism inspection which is conducted as the result of a telephone solicitation by an inspection firm or pest control business, even if the inspection would otherwise fall within the definition of a limited wood destroying organism inspection.

A complete WDO inspection is also called a real estate (pest) inspection. Included in this definition would be inspections conducted as a result of telephone solicitations and "peace of mind" inspections. This latter inspection would still require the inspector to look for infestations, damage, and conducive conditions.

(9) **"Conductive conditions"** means those conditions which may lead to or enhance an infestation of wood destroying organisms.

(23) **"Limited wood destroying organism inspection"** means the inspection of a structure for purposes of identifying or verifying evidence of an infestation of wood destroying organisms.

Limited WDO inspections are usually conducted for; 1) bug checks - a customer wants you to assess the problem they are having with large, winged ants or, 2) a customer already had a pest identified and they want you to provide a second opinion. A limited WDO inspection can be used as a second opinion on someone else's complete WDO inspection, but it cannot be used for a real estate transaction.

Limited WDO inspections have the following characteristics:

- *the entire structure does not need to be inspected*
- *excluded areas do not have to be noted on the report*
- *damage or conducive conditions do not have to be reported, but it is highly recommended that they are*

(30) **"Wood destroying organisms"** means those organisms including, but not limited to, subterranean termites, dampwood termites, carpenter ants, wood boring beetles of the family anobiidae (deathwatch beetle), and wood decay fungus (rot). Wood destroying organisms shall not include such organisms which occurred prior to the manufacturing or processing of the lumber, e.g., pocket rot.

(31) **"Wood destroying organism inspection"** means the service of inspecting a building for the presence of wood destroying organism pests destructive to its structural components, and/or their damage, and/or conducive conditions. For purposes of these rules a wood destroying organism inspection shall be either a

"complete wood destroying organism inspection" or a "limited wood destroying organism inspection."